

REMARKS

STATUS OF THE CLAIMS

Claims 1-28 are pending in the application.

Claims 1-28 are rejected as indicated in the Office Action.

According to the foregoing, dependent claim 26 is amended into independent form and dependent claim 4 is amended. Thus, claim 1-28 remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Amendment.

35 USC 112, FIRST PARAGRAPH, REJECTION

The Office Action maintains from the previous Office Action rejection of dependent claim 4 under 35 USC 112, first paragraph, for allegedly not complying with the written description requirement of 35 USC 112, first paragraph. Office Action page 13, item 11 is the Response to Arguments, in which the Examiner alleges “page 9 of the specification does not suggest itself to include the attributes to an emergency worker group. It describes issues relating to the regular worker groups.” Applicants respectfully disagree with the Examiner. Dependent claim 4 is amended so the original claim 4’s expression “***an emergency worker group***” is retained. The present Application page 14, lines 6-14 and FIG. 3B, discusses, “When an emergency event occurs or when the correctness of a job must be checked according to a procedure, the emergency group 6 accesses every resource of every group as shown in FIG. 3(B). The group 6 includes all groups.” It is readily apparent FIG. 3B’s emergency group 6 is an emergency group of workers, that can, for example, include all groups. Accordingly, the expression “emergency group” expressly or inherently (i.e., necessarily) covers an emergency worker group, such that the specification with reasonable clarity allows one skilled in the art to recognize that the inventors had invented what is claimed, thus, the specification supports dependent claim 4 to comply with the written description requirement of 35 USC 112, first paragraph. See, MPEP 2163.02.

Withdrawal of the 35 USC 112, first paragraph, rejection is respectfully requested.

35 USC 103 REJECTIONS

Rejection of claims 1, 3, 5, 21, 24, 27, and 28 is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher (US Patent No 5,826,040) in view of Matsuzaki (US Patent No. 5,767,848).

Claims 2, 23, 25 and 26 are rejected under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, and Rapoza (PC Week, v12, n19, p.74(2)). Previously these claims were also rejected over IBM Bulletin Disclosure.

Rejection of claims 4, 6 and 11-15, is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, and IBM Disclosure Bulletin (December 1991, US Vol. 34, Issue Number 7B, Pages 114-117, Extensible Access Control List Mechanism). Dependent claim 22 is also newly rejected over Fargher, Matsuzaki and IBM Disclosure Bulletin.

Rejection of claim 7 is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM and Persham (US Patent No. 5,260,986).

Rejection of claim 8 is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM and Hwang (US Patent No. 5,530,892).

Rejection of claim 9 is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM and D'Agosto (US Patent No. 4,975,896).

Rejection of claim 19 is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM, D'Agosto and Morishima (US Patent No. 5,589,956).

Rejection of claims 10, 17, 18, and 20 is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM, Waldren (US Patent No. 4,884,219) and Zinsmeyer (US Patent No. 3,927,800) and Morishima.

Rejection of claim 16 is maintained from the previous Office Action under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM, Waldren, Zinsmeyer and Weber (US Patent No. 4,995,071).

The Office Action page 14, item 11.B is the Response to Arguments, in which the Examiner asserts new grounds of rejection have been applied. Essentially, the Examiner

alleges Fargher and Matsuzaki still disclose the claimed present invention as recited in the previously amended independent claims 1, 21, 24, 27 and 28.

It is submitted that a prima facie case of obviousness has not been established, and the obviousness rejections are hereby traversed as follows. The independent claims are 1, 21, 24, 27, and 28, which are rejected under 35 USC 103(a) as being unpatentable over Fargher in view of Matsuzaki.

Fargher discusses a planner 10, a scheduler 18 and a simulator 20 to perform a production planning function (FIG. 1, and column 4, lines 31-67). The planner 10 receives inputs from the user, the manufacturing requirements 14, the factory 16 and the parameters 19. The Office Action relies on Fargher column 7, line 3, which discusses "the planner 10 is implemented in an object oriented software." However, the claimed present invention does not recite a planner implemented in an object oriented software, but the claimed present invention provides, "A computer system **performing real-time management of object-oriented system objects as job objects among groups of workers** as worker groups in communication with each other via networked computers" (e.g., independent claim 1).

Further, the Office Action relies on Fargher column 5 line 35 to column 7, line 62, which discusses the relationship between the planner 10, the scheduler 18 and the simulator 20, based upon the input from the user, the manufacturing requirements 14, the factory 16 and the parameters 19. Fargher in column 5, lines 6-12, discusses "The factory status 16 may include information such as the status of various factory resources such as machines or operators. For example, if a machine is going to be down for a given amount of time or an operator is out sick, it may be necessary to replan the schedule. Other information such as the progress of lots within the shop and status of the work in progress (WIP) are also input to the planner." Therefore, in Fargher, the factory status 16 provides information on resources, such as machine or operator, which is conventional.

Furthermore, Fargher's column 7, lines 19-33, discusses "the plan representation is based on the processing capacity of resource groups within the factory, divided into contiguous time intervals." However, Fargher is silent on details of the planner 10, and, thus, Fargher fails to disclose or suggest to one skilled in the art the claimed present invention's "a form generator generating job definition forms, **each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system** as the job objects

according to job-object conditions,” and based upon the job definition form (1) “the resource manager managing the job object conditions worker group by worker group,” (2) “the scheduler establishing the job object conditions and scheduling each worker group,” and (3) “the job monitor performing real-time monitoring of job processing by the worker groups ... and performing real-time controlling of sharing of the job-objects among the worker groups ...”

The Office Action page 3 acknowledges Fargher does not explicitly disclose the claimed present invention **“each job definition form ...”** as claimed, so the Office Action appears to rely on an inherency or implicit assertion in page 3, last paragraph, and Matsuzaki. The Examiner in the Office Action page 3, last paragraph, alleges “As such the use of job definition forms defining worker groups that process the job objects according to job object condition are implicit to the description of any system managing projects, jobs and/or groups of workers.” However, the Office Action fails to support the inherency with Matsuzaki, or any of the other relied upon references of Rapoza, IBM Disclosure Bulletin, Persham, Hwang, Morishima, D’Agosto, Waldren, Zinsmeyer, and Weber, because these references, in particular Matsuzaki, Rapoza and IBM Disclosure Bulletin, fail to disclose or suggest to one skilled in the art any data arrangement details of their respective development activity model (Matsuzaki, FIG. 2), ManagePro’s database (Rapoza), and Access Control List (ACL) (IBM Disclosure) being necessarily similar to the claimed present invention’s **“each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system.”** In other words, Matsuzaki, Rapoza and IBM Disclosure Bulletin fail to necessarily provide the claimed present invention’s “a form generator generating job definition forms, **each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system** as the job objects **according to job-object conditions,” and based upon the job definition form (1) “the resource manager managing the job object conditions worker group by worker group,” (2) “the scheduler establishing the job object conditions and scheduling each worker group,” and (3) “the job monitor performing real-time monitoring of job processing by the worker groups ... and performing real-time controlling of sharing of the job-objects among the worker groups ...”** See, MPEP 2112 - Requirements of Rejection Based on Inherency; Burden of Proof.

It is readily apparent Matsuzaki’s development activity model in FIG. 2 discusses activity units, with a person in charge, restrictions, and a working model linked to the resource model

and the product model, but fails to disclose or suggest to one skilled in the art any type of “**job definition form ...**” as claimed. In fact, in Matsuzaki FIG. 2, the resource model that has information about members of the development engineering team is a model separated from the activity unit, such that it cannot provide the claimed present invention’s “**each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system.**”

Matsuzaki’s activity unit in FIG. 2 defines an activity unit and the resources linked to the activity, which as a data arrangement concerning a task and resources to perform the task, differs from the claimed present invention and fails to disclose or suggest to one skilled in the art the claimed present invention’s “**each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system.**” Therefore, Matsuzaki cannot support the Examiner’s inherency allegation, which is hereby traversed, because Matsuzaki’s activity unit as a data arrangement fails to necessarily provide “**each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system.**”

Further, the Office Action page 4 relies on Matsuzaki’s column 20, which discusses “the function attribute section 2100 ... has a form that allows recording the experimental results of the functional characteristics obtained through a plurality of times of experiments.” It is readily apparent that this Matsuzaki “form” fails to disclose, either expressly or inherently, the claimed present invention’s data arrangement to manage a job worker group by worker group via “**each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system.**”

IBM Disclosure Bulletin discusses an Access Control List (ACL) to grant or deny access to a system resource, but is silent on any type of “**each job definition form defines worker groups to process ...**” as claimed.

Rapoza discusses ManagePro in which a task can be created and workers can be assigned to the task by double clicking on a task (Rapoza Text: page 1, paragraphs 7-8). Also, goals and tasks can be assigned to employees from virtually any window (Rapoza Text: page 1, paragraph 9). However, ManagePro’s discussion of allowing adding a member and assigning a task to the member, requires creation of a task before hand (“For example, when adding a

member to the notebook testing team in the People/Team Planner Window, we could specify that one this employee's tasks would be testing notebook performance.") So the claimed present invention's, "***each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system***" is not necessarily present in Rapoza and Rapoza fails to expressly or inherently (implicitly) disclose or suggest to one skilled in the art the claimed present invention's "***each job definition form defines worker groups to process ...***"

In other words, Matsuzaki, IBM Disclosure Bulletin and Rapoza generally discuss features in managing a task and resources of performing a task. A combination of Matsuzaki, IBM Disclosure Bulletin and Rapoza fails to achieve the claimed present invention. Also, Matsuzaki, IBM Disclosure Bulletin and Rapoza fail to suggest or provide motivation to one skilled in the art to be combined and then modified to achieve the claimed present invention's, because all of these references are based upon defining a task and then resources to perform the task, whereas the claimed present invention's provides "a form generator generating job definition forms, ***each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system*** as the job objects ***according to job-object conditions,***" and ***based upon the job definition form (1)*** "the resource manager managing the job object conditions worker group by worker group," ***(2)*** "the scheduler establishing the job object conditions and scheduling each worker group," and ***(3)*** "the job monitor performing real-time monitoring of job processing by the worker groups ... and performing real-time controlling of sharing of the job-objects among the worker groups ..." The claimed present invention's "***each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system*** as the job objects ***according to job-object conditions,***" as missing descriptive matter in Matsuzaki, Rapoza and IBM Disclosure Bulletin, is not necessarily recognized by one skilled in the art to be present in Matsuzaki, Rapoza and IBM Disclosure Bulletin to be implicitly discussed, because although these references discuss task management, these references do not necessarily disclose to one skilled in the art all types forms without further experimentation (see, MPEP 2112-IV).

It is submitted that a prima facie case of obviousness based upon Matsuzaki, IBM and Rapoza has not been established, and withdrawal of the rejection of pending claims is respectfully requested.

CLAIM 26

Dependent claim 26 is amended into independent form. The Office Action in page 5 relies on Rapoza, however, Rapoza is silent on the expression “**exchange rights to use the job objects**” (e.g., claim 2). Also, Matsuzaki’s column 14, lines 1-13, discusses getting permission from person in charge to consult results of activities of other members, but is silent on “**exchange rights to use the job objects**” (e.g., claim 2). Further, Matsuzaki’s discussion of restriction in FIG. 2 relates to the activity model and not a restriction on the resource model.

The relied upon references fail to disclose or provide any motivation to one skilled in the art to modify the relied upon references to provide the claimed present invention’s:

26. (CURRENTLY AMENDED) The system according to claim 2, A computer system performing real-time management of object-oriented system objects as job objects among groups of workers as worker groups in communication with each other via networked computers, said computer system comprising:

a form generator **generating job definition forms, each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system as the job objects according to job-object conditions;**

a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form;

a scheduler establishing the job-object conditions and scheduling each worker group to process the job objects, according to each worker group job procedure defined in the job definition form; and

a job monitor performing **real-time monitoring of job processing by the worker groups based upon the procedure of each worker group in the job definition form and performing real-time controlling of sharing of the job-objects among the worker groups while maintaining security of the job objects according to the job-object conditions managed by the resource manager group by group and/or member by member thereof**, thereby for a first worker group or a member thereof inhibiting access to the job objects thereof from another worker group or a member thereof to which permission to use the job objects of the first worker group or the member thereof is not allocated,

wherein **as the job-object conditions, each job definition form identifies for each worker group, information**

indicating rights to use the job objects, and at least one of a job period, worker group members, the job objects allocated to the job to be carried out by the worker group, and the permission information of the job objects, and

wherein said resource manager, job monitor, and scheduler exchange rights to use the job objects among the worker groups, based upon the job-object conditions of each worker group defined in the job definition form.

Matsuzaki, IBM Disclosure Bulletin and Rapoza fail to provide any motivation to one skilled in the art to provide the claimed present invention, because all of these references are based upon defining a task and then resources to perform the task, whereas the claimed present invention's provides "a form generator generating job definition forms, ***each job definition form defines worker groups to process, based upon job procedures, the objects of the object-oriented system as the job objects according to job-object conditions,***" and ***based upon the job definition form (1)*** "the resource manager managing the job object conditions worker group by worker group," ***(2)*** "the scheduler establishing the job object conditions and scheduling each worker group," and ***(3)*** "the job monitor performing real-time monitoring of job processing by the worker groups ... and performing real-time controlling of sharing of the job-objects among the worker groups ..." and ***said resource manager, job monitor, and scheduler exchange rights to use the job objects among the worker groups, based upon the job-object conditions of each worker group defined in the job definition form***" (e.g., independent claim 26).

Accordingly, withdrawal of the rejection of claim 26 and allowance of claim 26 is respectfully requested.

DEPENDENT CLAIMS

Dependent claims recite patentably distinguishing features of their own or are at least patentably distinguishing due to their dependencies from the independent claims.


CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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